

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HOUSE BILL 2249

AN ACT

AMENDING SECTION 28-776, ARIZONA REVISED STATUTES; RELATING TO RIGHT-OF-WAY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-776, Arizona Revised Statutes, is amended to
3 read:

4 28-776. Funeral or military procession right-of-way; funeral or
5 military escort vehicles; certification; fee;
6 definitions

7 A. Pedestrians and the operators of all vehicles, except emergency
8 vehicles, shall yield the right-of-way to each vehicle that is a part of a
9 funeral procession being led by a funeral escort vehicle **OR A MILITARY**
10 **PROCESSION BEING LED BY A MILITARY ESCORT VEHICLE.** The driver of the funeral
11 escort vehicle **OR MILITARY ESCORT VEHICLE** may direct the drivers of other
12 vehicles in the procession to proceed through any intersection or to make
13 turns or other movements, and the other vehicles may continue to follow and
14 make the turns or other movements as are made by or as directed by the driver
15 of the funeral escort vehicle **OR MILITARY ESCORT VEHICLE** notwithstanding any
16 traffic control device prescribed by statute or local ordinance, except that
17 a driver of a vehicle in the funeral procession **OR MILITARY PROCESSION** shall
18 not exceed the posted speed limit and shall exercise reasonable and prudent
19 care to avoid colliding with any other vehicle or pedestrian on the roadway.
20 Each vehicle in a funeral procession **OR MILITARY PROCESSION** shall have its
21 headlights lighted.

22 B. A driver of a funeral escort vehicle **OR MILITARY ESCORT VEHICLE** who
23 is certified pursuant to subsection D of this section may direct and control
24 the drivers of vehicles in a funeral procession **OR MILITARY PROCESSION** and
25 any other vehicle in or approaching any intersection to stop, proceed or make
26 the turns or other movements as required without regard to any traffic
27 control device prescribed by statute or local ordinance. Funeral escort
28 vehicles **OR MILITARY ESCORT VEHICLES** may exceed the speed limit by fifteen
29 miles per hour when overtaking processions to direct traffic at the next
30 intersection. A funeral escort vehicle **OR MILITARY ESCORT VEHICLE** shall be
31 equipped with at least one lighted lamp exhibiting a red or red and blue
32 light or lens visible under normal atmospheric conditions from a distance of
33 five hundred feet to the front of the vehicle.

34 C. The sheriff in each county shall register funeral escort vehicles
35 **AND MILITARY ESCORT VEHICLES** and issue an identification sticker or plate
36 that is affixed to the vehicle in order to identify the vehicle as a funeral
37 escort vehicle **OR MILITARY ESCORT VEHICLE.** When acting as a funeral escort
38 **OR MILITARY ESCORT**, the driver of a properly equipped and registered funeral
39 escort vehicle **OR MILITARY ESCORT VEHICLE** has all of the rights and
40 privileges of a driver of an authorized emergency vehicle proceeding to an
41 emergency call as provided under section 28-624.

42 D. The sheriff in each county may certify any person who holds at
43 least a valid class D driver license issued by this state as a certified
44 driver of a funeral escort vehicle **OR MILITARY ESCORT VEHICLE** if the person:

1 1. Completes a training program in motor vehicle safety and traffic
2 control safety as prescribed by the sheriff.

3 2. Pays the fee that is prescribed by the sheriff for the program and
4 that does not exceed the cost of the program.

5 E. EACH COUNTY SHERIFF SHALL RECOGNIZE AS VALID IN THAT COUNTY A
6 REGISTERED MILITARY ESCORT VEHICLE OR A CERTIFIED DRIVER OF A MILITARY ESCORT
7 VEHICLE, OR BOTH, IF THE REGISTRATION OR CERTIFICATION, OR BOTH, OCCURS IN
8 ANOTHER COUNTY IN THIS STATE PURSUANT TO THIS SECTION.

9 F. A PERSON:

10 1. SHALL NOT RECEIVE ANY COMPENSATION FOR PROVIDING A MILITARY
11 PROCESSION.

12 2. MAY ONLY PROVIDE A MILITARY PROCESSION IF REQUESTED BY A UNITED
13 STATES MILITARY MEMBER OR VETERAN OR THE FAMILY OF A UNITED STATES MILITARY
14 MEMBER OR VETERAN.

15 E. G. For the purposes of this section: ~~—~~

16 1. "Funeral procession" means two or more vehicles accompanying the
17 body of a deceased person, including a funeral escort vehicle registered by
18 the sheriff.

19 2. "MILITARY PROCESSION" MEANS TWO OR MORE VEHICLES, INCLUDING A
20 MILITARY ESCORT VEHICLE, ACCOMPANYING ANY OF THE FOLLOWING:

21 (a) THE BODY OF A DECEASED MEMBER OF THE UNITED STATES MILITARY OR A
22 DECEASED VETERAN OF THE UNITED STATES MILITARY.

23 (b) A MEMBER OF THE UNITED STATES MILITARY WHO IS BEING DEPLOYED OR
24 WHO IS RETURNING FROM DEPLOYMENT.

25 (c) A PERSON WHO IS BEING HONORED AT A MILITARY EVENT.

26 (d) A MONUMENT HONORING UNITED STATES MILITARY MEMBERS OR VETERANS OF
27 THE UNITED STATES MILITARY THAT IS BEING TRANSPORTED IN THIS STATE.